

# COMBINED DECLARATION, POWER OF ATTORNEY & PETITION

## DECLARATION

As a below-named inventor, I hereby declare that:

- (i) my residence, post office address and citizenship are as stated below next to my name;
- (ii) I have reviewed and understand the contents of the specification identified herein including the drawing and claims as amended by any amendment referred to below;
- (iii) I believe I am the original, first and sole inventor of the invention entitled:

### "IN CAMERA MESSAGING AND ADVERTISEMENT SYSTEM"

as described and claimed in the specification which

☒ is attached hereto.

- (iv) I hereby claim the benefit under 35 U.S.C. 120 of any United States patent application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 CFR 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/105,594</u> (application serial no.)	<u>06/26/98</u> (filing date)	<u>Pending</u> (status)
<u>09/187,706</u> (application serial no.)	<u>11/06/98</u> (filing date)	<u>Pending</u> (status)
<u>09/211,992</u> (application serial no.)	<u>12/14/98</u> (filing date)	<u>Pending</u> (status)

- (v) this application in part discloses and claims subject matter disclosed in my earlier filed pending application Serial Nos. 09/105,594 filed 06/26/98, 09/187,706 filed 11/6/98, and 09/211,992 filed 12/14/98;

as to the subject matter of this application which is common to said earlier applications, I do not know and do not believe that the same was ever known or used in the United States before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said earlier applications, or in public use or on sale in the United States more than one year prior to said earlier applications;

- (vi) as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe that the same was ever known or used in the United States before my or our invention thereof or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application;

I declare further that all statements made above of my own knowledge are true and all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**POWER OF ATTORNEY**

I hereby appoint the following patent attorneys and/or patent agent(s) with full power of appointment, substitution and revocation to prosecute this application, to make alterations and amendments thereto, to receive the patent, and to transact all business in the Patent Office connected therewith.

DAVID H. JAFFER, Reg. No. 32,243

Address all telephone calls to David H. Jaffer at telephone number (408) 280-2800, and address all correspondence to:


David H. Jaffer, Esq.  
**ROSENBLUM, PARISH & ISAACS**  
160 West Santa Clara St., Fifteenth Floor  
San Jose, California 95113

**PETITION**

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-mentioned specification and claims, and I hereby subscribe my name to the foregoing Declaration, Power of Attorney & Petition with references to the above-mentioned specification and claims.

**SIGNATURE**

Name of sole or  
first inventor: Eran Steinberg  
Address: 372 Douglas Street  
San Francisco, CA 94114  
Post Office Address: same  
Citizenship: Israel

Inventor's Signature:  Date Apr 9 99

Attorney's File No: 4473-27

Applicant or Patentee: Eran Steinberg

Serial/Patent Number: \_\_\_\_\_

Filed/Issued \_\_\_\_\_

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) AND 1.27(c) - SMALL BUSINESS CONCERN)**

I am ☐ the owner of the small business concern identified below;  
☒ an official of the small business concern empowered to act on behalf of the concern identified below;

Name of Concern: FotoNation Inc.

Address of Concern: 199 California Drive, Millbrae, CA 94030

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: **IN CAMERA MESSAGING AND ADVERTISEMENT SYSTEM** by Eran Steinberg described in:

- ☒ the specification filed herewith.  
☐ application Serial No. \_\_\_\_\_ Filed \_\_\_\_\_  
☐ Patent No. \_\_\_\_\_ Issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate Verified Statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities (37 CFR 1.27)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS ☐ NONPROFIT ORG.


I acknowledge my duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the Issue Fee or any Maintenance Fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Verified Statement is directed.

NAME OF PERSON SIGNING: Eran Steinberg

TITLE: Vice President

ADDRESS OF PERSON SIGNING:

SIGNATURE:  Date: Apr 9 99